

REMARKS

In response to the Office Action dated October 15, 2004, Applicant respectfully requests reconsideration. The application is believed to be in allowable condition.

Claims 9, 10, 13, 15, 17-23, and 28 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. D426,242 (Ghassemain) in view of U.S. Patent No. 6,454,370 (Mosnik) and further in view of U.S. Patent No. 6,252,754 (Chaudhry).

Claim 9 is directed to a video game management system. The system includes a housing having a front face and at least one bay formed in the front face, at least one movable storage module having guide rails disposed in the at least one bay, wherein the storage module is constructed and arranged to store at least one of a disk and a memory card in the guide rails of the movable storage module, at least one controller clip, wherein the controller clip is configured to cradle a video game controller, and a surge suppression system, wherein the surge suppression system is constructed and arranged to provide surge protected power to one or more electronic devices.

Ghassemain discloses a computer accessory cabinet stand having multiple power plugs on its rear face. The Ghassemain Patent, a primary reference cited against the pending claims, is a design patent directed to a computer accessory cabinet stand. The design is presented in a series of six (6) figures shown from differing angles (Ghassemain Patent, Figs. 1-6). The rear view of the cabinet shows a number of rectangular and semicircular boxes illustrated on a top portion of the back panel (Ghassemain Patent, Fig. 3). The cabinet in the Ghassemain Patent also includes an ornamental curved front face portion (Ghassemain Patent, Fig. 1). The features of the interior portions of the cabinet in the Ghassemain Patent are unknown, as the design is directed to the exterior of the cabinet.

Mosnik discloses a computer accessory stand device having a drawer. the drawers are positioned to extend from the front width of the accessory stand.

Chaudhry discusses a surge suppression for use in overvoltage protection of electronic devices. The surge suppressor protects devices from overvoltage conditions appearing on AC power lines and coaxial transmission lines.

Based on the figures of the Ghassemain Patent, there is no indication that a storage module is movable from a front face of the cabinet or that the cabinet includes storage modules for storing video game components. As is known, the description of the invention in a design patent is provided by the drawings. In re Klein, 987 F.2d 1569, 1571 (Fed. Cir. 1993). The outward appearance and functionality of the video game management system of the pending

claims is substantially different than that illustrated in the Ghasseman Patent at least because the Ghasseman Patent fails to disclose a front bay having a movable storage module constructed and arranged to store video game discs.

Further, none of Ghassemain, Chaudhry, and Mosnik, alone or in combination, discloses or suggests a surge suppression system disposed within a housing, wherein the surge suppression system is constructed and arranged to provide surge protected power to one or more electronic devices, and at least one movable storage module disposed within the at least one bay in the main housing, as is recited in claim 9. Nor do Ghassemain, Chaudhry and Mosnik disclose guide rails in the movable storage module into which a disk and/or a memory card is inserted for storage. Ghassemain discloses a front drawer, but does not illustrate any further storage components, while Mosnik discusses a drawer arrangement for holding video cartridges, none of which include guide rails in a storage module. Nor do the cited references teach or disclose a controller clip configured to cradle a video game controller.

Ghassemain further illustrates power plugs on the rear side of a cabinet, but there is nothing that indicates surge protection circuitry or other functions of the power plugs, given the ornamental nature of the Ghassemain patent. Chaudhry includes a surge protector, but does not teach or suggest incorporating the surge protector into the housing of a video game management system used for storage. The system as described in claim 9 has the distinct advantage of storing a plurality of different home entertainment paraphernalia, while protecting the home entertainment system from power outages or power surge situations, an advantage that is not provided in the prior art. Thus, claim 9 is patentable for at least the reasons set forth herein. Claims 10-13 depend directly or indirectly from claim 9 and are patentable for at least the reasons noted above with respect to claim 9.

Claim 15 is directed to a video game management system. The system includes a main housing having a front face with at least one bay formed in the front face, a surge suppression system disposed within the housing, wherein the surge suppression system is constructed and arranged to provide surge protected power to one or more electronic devices, and at least one movable storage module disposed within the at least one bay in the main housing, wherein the storage module is constructed and arranged to store at least one of a disk and a memory card.

As discussed above with respect to claim 9, Ghasseman, Chaudhry and Mosnik fail to disclose or suggest, alone or in combination, a surge suppression system disposed in a housing, the housing having a movable storage module disposed within a bay in the housing, as is recited

in claim 15. Thus, claim 15 is patentable over the cited references. Claims 17-23 depend, directly or indirectly from claim 15, and are patentable for at least the reasons that claim 15 is patentable.

Claim 28 is directed to a video game management system for use with a video game console. The video game management system includes a housing having at least one bay formed in the front face of the housing and storage means for storing video game components, wherein the storage means are disposed in the bay. The video game management system further includes surge protected power means for providing surge protected power to at least one electronic device.

As discussed above with respect to claim 9, none of Ghassemain, Chaudhry and Mosnik, alone or in combination, discloses or suggests surge protected power means for providing surge protected power to at least one electronic device, and at least one bay formed in the front face of a housing and storage means for storing video game components, wherein the storage means are disposed in the bay, as is recited in claim 28. Thus, claim 28 is patentable over the cited references.

Claim 11 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Ghassemain in view of Mosnik and Chaudhry, and further in view of U.S. Patent No. 5,596,479 (Campbell).

Campbell discusses a power director with electrical surge protection for selectively connecting an electrical power source to multiple electrical apparatus. The power detector includes light pipes that emit colors to indicate the status of a switch. Campbell does not, however, account for the deficiencies of Ghassemain, Mosnik and Chaudhry discussed above with respect to claim 9. Claim 11 depends directly from claim 9 and is patentable for at least the reasons that claim 9 is patentable.

Claims 24 and 25 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Ghassemain in view of Mosnik and Chaudhry, and further in view of U.S. Patent No. 5,611,553 (Schoeman).

Schoeman discusses a game storage cart. The game storage cart includes a remote control holder that can be used to hold game pads. Schoeman does not, however, account for the deficiencies of Ghassemain, Mosnik and Chaudhry discussed above with respect to claim 15. Claims 24 and 25 depend directly or indirectly from claim 15 and are patentable for at least the reasons that claim 15 is patentable.

Claims 29, 33 and 35 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Ghassemain in view of Mosnik and Chaudhry, and further in view of U.S. Patent No. 56,597,567

(Stone). Claims 33 and 35 have been canceled and rejection as to these claim is considered moot.

Claim 29 is directed to a video game management system for storing objects used in conjunction with an electronic device. The video game management system includes a housing having a front face with at least one bay formed in the front face, wherein the housing includes mounting feet on a top surface of the housing to support a video game console or other electronic device. The mounting feet are constructed and arranged to provide an airflow passage between the video game console or other electronic device and a top surface of the housing. The system further includes at least one movable storage module disposed in the at least one bay and comprising at least one spring-loaded tray, wherein the storage module is constructed and arranged to store at least one of a disk, a DVD, a CD ROM, a video game disk, and a memory card in the at least one spring-loaded tray, and a surge suppression system disposed within the housing. The surge suppression system is constructed and arranged to provide surge protected power to one or more electronic devices.

Stone discusses a housing having corner support members. The corner supports serve to hold much of the weight of the housing and the contents of the housing, and allow clearance between the bottom of the housing and the surface on which the housing rests for heat transfer purposes.

As discussed above with respect to claim 15, none of Ghassemanian, Chaudhry and Mosnik discloses or suggests, alone or combination, a surge suppression system disposed within the housing constructed and arranged to provide surge protected power to one or more electronic devices, as is recited in claim 29. Nor do any of the cited references disclose or suggest at least one movable storage module disposed in at least one bay and having at least one spring-loaded tray, wherein the storage module is constructed and arranged to store at least one of a disk and a memory card in the at least one spring-loaded tray, Stone fails to overcome the deficiencies of the Ghassemanian, Chaudhry and Mosnik references discussed herein. For at least these reasons, claim 29 is patentable over the cited references.

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Based on the foregoing, this application is believed to be in allowable condition, and a notice to that effect is respectfully requested. To answer any questions, or otherwise further the prosecution of this application, the Examiner may contact the undersigned attorney at the number provided below.

Respectfully submitted,



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Date: January 13, 2005

TRA 1996240v1